

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:11-CR-00105-F-1
No. 7:16-CV-00177-F

DAVID CRUMMY,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)

ORDER


This matter is before the court on David Crummy's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-283]. Having examined Crummy's motion pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing Section 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion within **forty (40)** days of the filing of this order.

Joseph L. Ross, II with the Office of the Federal Public Defender has entered a notice of appearance pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015). Crummy does not qualify for appointed counsel under Standing Order No. 15-SO-2 because he had retained when he was previously before this court.¹

SO ORDERED.

¹ Standing Order 15-SO-2 provides that the Federal Public Defender's Office is appointed to represent "any defendant serving a federal sentence, who was previously determined to be entitled to appointment of counsel or who was previously represented by the Federal Public Defender's Office."

This 23 day of June, 2016.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE